

U.S.A. vs

Jose Romero Altamirano

No.

08CR2651-H

The Court finds excludable delay, under the section indicated by check (☒),

commenced on

8-26-08

and ended on

9-29-08

(X, X)

and ended on

()

3161(h)

(1) (A)

Exam or hrg for **mental or physical incapacity**

(1) (B)

NARA examination (28:2902)

(1) (D)

State or Federal trials or **other charges pending**

(1) (E)

Interlocutory appeals

(1) (F)

Pretrial motions (from flg to hrg or other prompt dispo)

(1) (G)

Transfers from other district (per FRCrP 20, 21 & 40)

(1) (J)

Proceedings under advisement not to exceed thirty days

(1) (H)

Misc proc: Parole or prob rev, deportation, **extradition**

(1) (H)

Transportation from another district or to/from examination or hospitalization in ten days or less

(1) (I)

Consideration by Court of **proposed plea agreement**

(2)

Prosecution deferred by mutual agreement

(3) (A) (B)

Unavailability of defendant or essential witness

(4)

Period of **mental or physical incompetence** of defendant to stand trial

(5)

Period of **NARA commitment or treatment**

(6)

Superseding indictment and/or new charges

(7)

Defendant awaiting trial of co-defendant when no severance has been granted

(8) (A) (B)

Continuances granted per (h) (8)-use "T" alone if more than one of the reasons below are given in support of continuance

(8) (B) (I)

- 1) Failure to grant a **continuance** in the proceeding would result in a **miscarriage of justice** and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial. (**Continuance - miscarriage of justice**)
- 2) Failure to grant a **continuance** of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted. (**Continuance - tendered a guilty plea**)

(8) (B) (ii)

2) **Case unusual or complex**

(8) (B) (iii)

3) **Indictment following arrest cannot be filed in thirty (30) days**

(8) (B) (iv)

4) **Continuance granted in order to obtain or substitute counsel, or give reasonable time to prepare (Continuance re counsel)**

3161(I)

Time up to **withdrawal of guilty plea**

3161(b)

Grand jury indictment time extended thirty (30) more days

Date

8-26-08

CAB

Judge's Initials

A

B

C

D

E

F

G

H

6

7

I

M

N

O

P

R

T

T1

T2

T3

T4

U

W